

April 22, 2011

United States Bankruptcy Court  
Southern District of New York

1 of 11

In re

Motors Liquidation Company, et al.,  
f/k/a General Motors Corp, et al.

Chapter 11 Case No.  
09-50026 (RCS)

Jointly Administered)

Motors Liquidation Company, CIVIL TRUST  
for Responding by Sharyl J. Carter  
Allowing all Claims to Proof of Claim  
Nos 00136, 00552, 07020, 09072,  
14901, 19246 and 19247.

To The Honorable Robert E. Barber,  
United States Bankruptcy Judge:

I Sharyl J. Carter at 1541 LaSalle

Sheryl J. Carter  
Case No. 09-50026 RY 11

Ave #1, Niagara Falls, New York 14301.  
my numbers are (716) 282-1639 and  
(716) 930-4495

I Sheryl J. Carter respectfully  
ask the Court, Judge Robert C. Meeker  
to allow all my claims against the  
Debtors Motors Liquidation Company,  
FLHA General Motors Corp and all  
their affiliated Debtors.

### Preliminary Statement

1. The Debtors stated that (ms. Carter)  
my claims Sheryl J. Carter failed to  
provide any legal or factual support for  
my claims and my claims should be  
disallowed and expunged, also duplicate  
claims 00552, 07020, 09072, 14901, 19246  
and 19247, and stating by the Debtors  
it is duplicative of Proof of Claim 101136.

the original claim.

I Sharyl F. Carter continue to disagree with the Debtors and their affiliated Debtors. As for the original claim NO DD136 or any other claim and within the Debtors Records, books, evidence, all documents, information I provided to their attorneys, and my previous attorney and courts, they were given all original documents, information, evidence. So my question where is all that information, and documents, evidences, also who has it now. I am doing the best that I can in handling these cases and claims by my self please. How did we get this far without evidence as stated by the Debtors and their affiliated Debtors. Why I continue to go through all this discrimination,

hostile, Retaliation, tortious conductually  
if there is no problems.

Again I Sheryl Z. Carter ask the  
Judge to allow all my claims against  
the Debtors and their affiliated Debtors.

Allow me this time to a telephonic call  
also on April 26, 2011 at 9:45 AM, as I  
just, or grieving over my fathers death on  
April 2, 2011 and a very bad cold. Thank You

### Background

2. The Debtors stated they filed an  
objection on February 4, 2011, and a order  
disallowing and expunging proof of claim  
NOS 00136, 00552, 07020, 09072, 14901,  
19246 and 19247. (The Carter's Claims).

I disagree and ask the Court/Judge.  
Robert E. Peeble to allow all my claims.

3. As stated by the Debtors I filed  
two responses on February 17, 2011. I have  
always filed all my responses to all my

Claims against the Debtors and 5 of 11  
their affiliated Debtors in a timely manner  
when I am given enough notice in time. I  
Sharyl Y. Carter would respectfully ask the  
Court/Judge to allow me more time, and  
accept my objections, allow all my claims, as  
the Debtors and their affiliated Debtors continue  
to do so. The Debtors states neither of the  
responses set forth any legal & factual  
basis upon which the Carter Claims might  
be based. I Sharyl Y. Carter continue to do  
the best that I can.

The Carter Claims should not be  
disallowed for failure to allege sufficient  
facts to support a claim.

4. As I Sharyl Y. Carter continue to  
stated, my claims did end up in this  
Court, and any other Court against  
the Debtors with all the evidence,  
information, document original that I

had and presented for all my claims. 6 of 11  
As the Debtors stated (ms. Carter) I  
appears to suggest that the mere fact  
that the Carter Claims ended up in  
this Court provides sufficient and  
"adequate information to substantiate a  
claim, also that I Sharyl Y. Carter failed  
to assert any factual allegations or  
legal argument that could support the  
Carter claim. Again all the information,  
evidence documents original was provided  
to the previously Court attorneys of the Debtors  
and their affiliated Debtors, also my previous  
attorneys, which should have been passed  
down to this Court right along with  
the case no. Have the Debtors forwarded  
this information to the courts, and any  
or all information from their books, records  
and attorneys. The Debtors stated that  
I - ms. Carter's argument, however, puts  
the proverbial cart before the horse.

Why don't we, the Courts / Judge let the horse ride to the top level, and allow all my - the Carter Claims be allow respectfully,

As stated by the Debtor the fact that the Carter Claims exist with Chapter 11 cases evidences only that Ms. Carter filed proof of claim forms underlying each of the Carter Claims. I am sure all my claims were not supposed to make it this far, or exist as stated by the Debtors and their affiliated Debtors, but my - Sheryl L. Carter Claims did make it this far.

5. As stated by the Debtors, To be clear, neither the Debtors nor the GUC Trust have ever offered to settle the Carter Claims and any assertion to the contrary is mistaken. All that information proof was mailed to the Courts / Judge and the

Debtors attorney through all these responses. That means that recently through my union representative or employer Delphi Corporation which I was with GM first, even though the company plant name was Delphi Corp. then I was spend. off, or the company spend off to Delphi, then close the plant and the employees were told we were back with General Motors, and now my sub benefits were kicked back to Delphi from General Motors. Which I am being deny all my full benefits continually. Why is it that the Debtors attorney ask about my claims, they question the Delphi Corporation claims, then go talk to somebody about them. Rather it was Delphi, or not who gave to small settlement into my stock, or the paperwork I should I Carter filled out on amounts I'll settle for, or these so call duplicates claims as stated by the Debtors. Why



deny the truth of all treatment of 11  
by the Debtors and their affiliated Debtors  
I respectfully ask the Court/Judge to  
allow all my claims against the Debtors  
and their affiliated Debtors (the Carter Claims)  
6. I Sharyl Y Carter have provided even  
the most basic information regarding  
the Carter Claims. The Debtors stated  
my responses fail to shed any light on  
the Carters factual or legal basis for  
the Carter Claims.

I Sharyl Y Carter disagree with the  
Debtors and their affiliated Debtors, and  
respectfully ask the Court/Judge to  
allow all my claims (the Carter Claims)  
against the Debtors and their affiliated  
Debtors.

In the Alternative the Duplicate  
Claims Should be Allowed

7. I Sharyl Y Carter disagree with  
the Debtors in disallowing and expunging  
my claims, that the Debtors think

are duplicate claims. I should I Carter  
respectfully ask the Court Judge to  
review the claims and if they  
are duplicate then they the Courts/  
Judge will make the decisions not  
the Debtors or I. How would the  
Debtors know or be trusted to withdraw  
any claims that I have against their  
company. The Debtors first stated I did  
not timely file my claims, to having  
the Carter's claim disallowed and  
expunged, which I disagree, to not  
having a factual, or legal basis, to  
duplicate claims.

8. The AUS Trust reiterates the  
alternative position taken in the objection  
and asserts that the Duplicate Claims  
should be ~~be~~ disallowed and expunged in  
order to avoid the possibility of  
multiple recoveries by MS Carter, myself.

Why should the AUS Trust, the Debtors

And their Affiliated Debtors 11 of 11  
worry about any possibility of  
multiple recoveries by me (Ms Carter)  
if the Debtors strongly object to my  
Claims.

I Sharyl Y. Carter respectfully  
ask the Judge/Court to allow all  
my claims (the Carters claims against  
the Debtors and their Affiliated Debtors.

As I received this Fed Ex on the  
23rd of April 2011, I respectfully ask  
the Court/Judge to allow this request.  
I was not enough time to respond, but  
I tried, also I called that number to  
participate in the hearing telephonically  
as provided (366) 582-6878 but I was  
contacted to some guy who stated I had  
the wrong number I called several times  
left message. Enclosed is what I pull off  
the computer through, But  
Thank you.

Sincerely  
Sharyl Y. Carter

TRANSMISSION VERIFICATION REPORT

TIME : 04/23/2011 12:07  
NAME : OFFICEMAX0328  
FAX : 7162830328  
TEL : 7162830180  
SER. # : 000K0N597096

DATE, TIME	04/23 12:06
FAX NO./NAME	18665332946
DURATION	00:01:12
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

# FAX Transmission

Number of pages including cover sheet 2

Attention:

West Lawrence Contacts

Company:

United States Bankruptcy Court  
Southern District of New York

Phone:

(866) 582-1878

Fax:

(866) 533-2946

Comments:

I made several attempt for the Lawrence call  
that I was on April 14, 2011 at 9:45am.

Date:

April 23, 2011

From:

Sheryl J Carter

Company:

Phone:

(716) 282-1639

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Email: [impress0328@officemax.com](mailto:impress0328@officemax.com)

April 22, 2011

To Whom It may concern:

Court Conferences Courts.

Enclosed is a copy of the information that I Sharyl Z. Carter received gathered from the Computer - website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) as instructed but I could not click or enter any information to get in on the Court Conferences call telephonic appearances. So I'll try to fix this ASAP.

I Sharyl Z. Carter want to included in on the Hearing telephonic conference call on April 26, 2011 at 9:45 AM. I also need my responses for my claims. My number is (716) 282-1639 at 1511 LaSalle Ave #1 Niagara Falls, New York 14301.  
Thank you.

Sincerely  
Sharyl Z. Carter

P.S. I try calling but couldn't get through  
- wrong no. according to my phone sep.

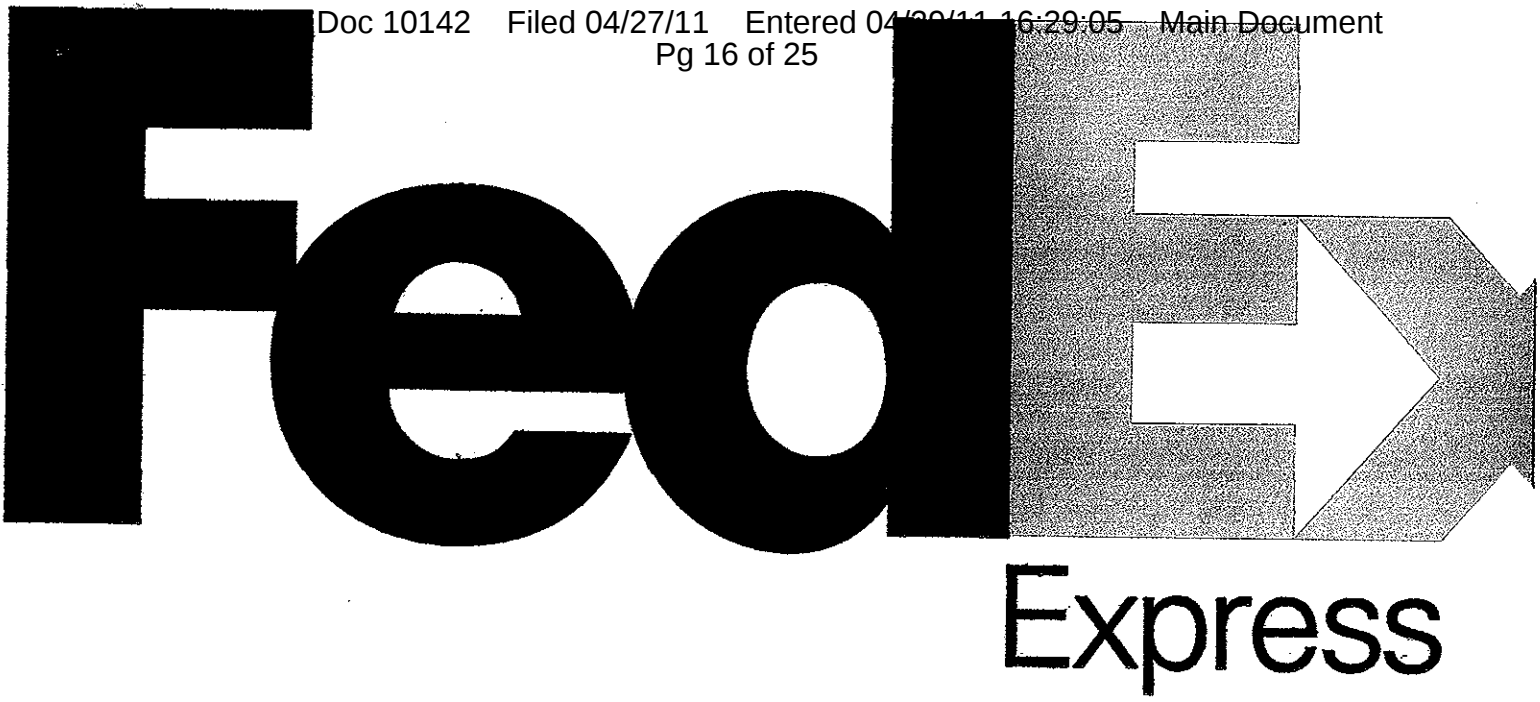


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New York, NY 10153

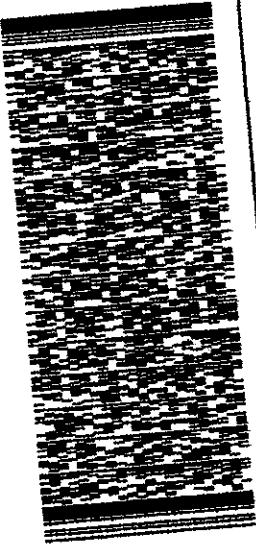


SHIP TO: (716)282-1639  
Sharyl Y. Carter

BILL SENDER

1541 La Salle Ave # 1

Niagara Falls, NY 143011227



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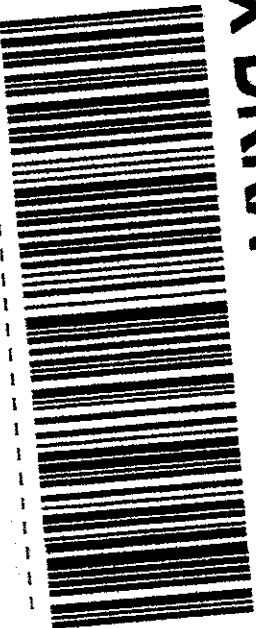
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767 Fifth Avenue  
New York, NY 10153-0119  
+1 212 310 8000 tel  
+1 212 310 8007 fax

**Weil, Gotshal & Manges LLP**

Edward Wu  
+1 212 310 8322  
[edward.wu@weil.com](mailto:edward.wu@weil.com)

April 19, 2011

BY FEDEX

Sharyl Y. Carter  
1541 Lasalle Avenue #1  
Niagara Falls, New York 14301

Re: *In re Motors Liquidation Company (f/k/a General Motors Corp.)*, Case No. 09-50026 (REG),  
United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”)  
– Hearing on Objection to Claim Nos. 00136, 00552, 07020, 09072, 14901, 19246, and 19247

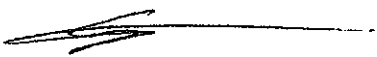
Dear Ms. Carter,

This letter is to advise you that the hearing on the Debtors’ objection to your claims, Claim Nos. 00136, 00552, 07020, 09072, 14901, 19246, and 19247, is going forward on April 26, 2011 at 9:45 a.m. at the request of the Bankruptcy Court. The hearing will be held at the following address:

United States Bankruptcy Court for the Southern District of New York  
One Bowling Green  
Courtroom 621  
New York, NY 10004-1408

You may participate in the hearing telephonically by contacting the Court’s telephonic appearance provider, CourtCall, LLC at (366) 582-6878 in advance of the hearing. Additional information on CourtCall may be found on the Court’s website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) (the official website for the Bankruptcy Court), by clicking on “Directories” on the left hand side, and then click on “Telephonic Appearance Provider.” You must also provide prior written notice by mail or email of your telephonic appearance to (i) Weil, Gotshal & Manges LLP, attorneys for the Debtors, 767 Fifth Avenue, New York, NY 10153 (Attn: Edward Wu, Esq. ([edward.wu@weil.com](mailto:edward.wu@weil.com))) and (ii) Kramer Levin Naftalis & Frankel LLP, attorneys for the statutory committee of unsecured creditors, 1177 Avenue of the Americas, New York, NY 10036 (Attn: Lauren Macksoud, Esq. ([lmacksoud@kramerlevin.com](mailto:lmacksoud@kramerlevin.com))).

Sincerely,



Edward Wu

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SHARYL Y CARTER

BILL SENDER

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NIAGRA FALLS, NY 14301

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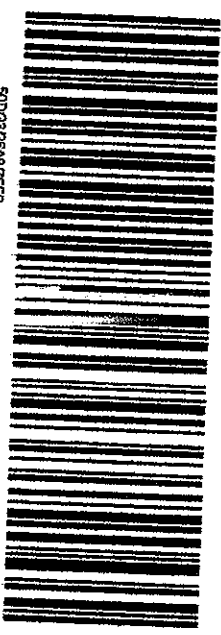


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HEARING DATE AND TIME: April 26, 2011 at 9:45 a.m. (Eastern Time)

Harvey R. Miller  
Stephen Karotkin  
Joseph H. Smolinsky  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Motors Liquidation  
Company GUC Trust

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<hr/>	
In re	:
	:
MOTORS LIQUIDATION COMPANY, <i>et al.</i> ,	:
f/k/a General Motors Corp., <i>et al.</i>	:
	:
Debtors.	:
	:
<hr/>	

Chapter 11 Case No.  
09-50026 (REG)  
(Jointly Administered)

**MOTORS LIQUIDATION COMPANY GUC TRUST'S REPLY TO  
RESPONSE OF SHARYL Y. CARTER OPPOSING DEBTORS' OBJECTION  
TO PROOF OF CLAIM NOS. 00136, 00552, 07020, 09072, 14901, 19246, AND 19247**

TO THE HONORABLE ROBERT E. GERBER,  
UNITED STATES BANKRUPTCY JUDGE:

The Motors Liquidation Company GUC Trust (the "GUC Trust"), formed by the above-captioned debtors (collectively, the "Debtors")<sup>1</sup> in connection with the Debtors' Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (as may be amended, supplemented, or modified from time to time, the "Plan"), respectfully represents:

<sup>1</sup> The Debtors are Motors Liquidation Company (f/k/a General Motors Corporation) ("MLC"), MLCS, LLC (f/k/a Saturn, LLC), MLCS Distribution Corporation (f/k/a Saturn Distribution Corporation), MLC of Harlem, Inc. (f/k/a Chevrolet-Saturn of Harlem, Inc.), Remediation and Liability Management Company, Inc. ("REALM"), and Environmental Corporate Remediation Company, Inc. ("ENCORE").

**Preliminary Statement**

1. After reviewing the Responses (as hereinafter defined) filed by Sharyl L. Carter (“**Ms. Carter**”), the GUC Trust reiterates the Debtors’ position in the Objection (as hereinafter defined)<sup>2</sup> that Ms. Carter has failed to provide any legal or factual support for the Carter Claims (as hereinafter defined) and the Carter Claims should be disallowed and expunged. The GUC Trust also reiterates the Debtors’ alternative position in the Objection that, at a minimum, Proof of Claim Nos. 00552, 07020, 09072, 14901, 19246, and 19247 (collectively, the “**Duplicate Claims**”) should be disallowed and expunged because each was filed subsequent to, and is duplicative of, Proof of Claim No. 00136 (the “**Original Claim**”).

**Background**

2. On February 4, 2011, the Debtors filed an objection (the “**Objection**”) (ECF No. 9096) pursuant to section 502(b) of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and this Court’s order establishing the deadline for filing proofs of claim against MLC and certain other Debtors and the procedures relating to the filing of proofs of claim (the “**Bar Date Order**”) (ECF No. 4079) seeking entry of an order disallowing and expunging Proof of Claim Nos. 00136, 00552, 07020, 09072, 14901, 19246, and 19247 (collectively, the “**Carter Claims**”) filed by Ms. Carter.

3. On February 17, 2011, Ms. Carter filed two responses to the Objection (the “**Responses**”) an initial response (the “**First Response**”) (ECF No. 9435) and a second response (the “**Second Response**”) (ECF No. 9437); asserting that her claims should not be

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<sup>2</sup> While the Objection was filed by the Debtors, this Reply is being filed by the GUC Trust because, pursuant to the Plan, the GUC Trust now has the exclusive authority to prosecute and resolve objections to Disputed General Unsecured Claims (as defined in the Plan).

disallowed and expunged. Neither of the Responses set forth any legal or factual basis upon which the Carter Claims might be based. A hearing to address Ms. Carter's Responses has been scheduled for April 26, 2011 at 9:45 a.m. (Eastern Time).

**The Carter Claims Should Be Disallowed for  
Failure to Allege Sufficient Facts to Support a Claim**

4. Despite Ms. Carter's representation that she "set forth the legal and factual basis [of the Carter Claims] to the best of her ability," (First Response at 5), she has failed to assert any factual allegations or legal argument that could support the Carter Claims. Ms. Carter appears to suggest that the mere fact that the Carter Claims "end[ed] up in this Courts [sic]" provides sufficient and "adequate information to substantiate a claim." (*Id.* at 7.) Ms. Carter's argument, however, puts the proverbial cart before the horse. The fact that the Carter Claims exist in these chapter 11 cases evidences only that Ms. Carter filed the proof of claim forms underlying each of the Carter Claims. In no way can the mere filing of the Carter Claims (which fail to even assert the most simple factual allegations that would be required for the GUC Trust to ascertain the nature and validity of the Carter Claims) serve as "adequate information to substantiate a claim," as Ms. Carter argues.

5. In support of her assertion that she has valid claims against the Debtors' estates, Ms. Carter rhetorically asks, "why did the Debtors attorneys contacted [sic] me, by phone, and mailing all documents asking what prices I wanted to settle with, if the Debtors do not think I have any claims against them." (*Id.* at 6.) Moreover, she asserts that she "was given 2 small settlements" by the Debtors. (*Id.* at 7-8.) To be clear, neither the Debtors nor the GUC Trust have ever offered to settle the Carter Claims, and any assertion to the contrary is mistaken. Rather, the settlement referred to by Ms. Carter was likely with the debtors in the unrelated chapter 11 cases of Delphi Corporation. Here, at no time have the Debtors or the GUC Trust

settled any of the Carter Claims, and the GUC Trust is currently seeking the disallowance and expungement of all of the Carter Claims.

6. The Responses fail to shed any light on Ms. Carter's factual or legal basis for the Carter Claims. The GUC Trust reiterates that Ms. Carter has not provided any legal or factual support for the Carter Claims and cannot be afforded prima facie validity under the Bankruptcy Code. Moreover, Ms. Carter has not complied with the Bar Date Order because she has failed to meet the threshold requirement of providing even the most basic information regarding the basis of the Carter Claims. Accordingly, the Carter Claims should be disallowed and expunged in their entirety.

**In the Alternative, the Duplicate  
Claims Should Be Disallowed and Expunged**

7. Ms. Carter argues that the Duplicate Claims should not be disallowed and expunged because any "duplicate claims . . . was not [her] fault" but instead the fault of "the Debtors and their affiliated Debtors and their attorneys, employees who handled the Proof of Claims." (First Response at 5.) Respectfully, Ms. Carter's argument is unfounded. Whether or not the Duplicate Claims are the result of multiple filings on the part of Ms. Carter, or rather, the inadvertent duplication of such claims by the Debtors' claims agent, Ms. Carter has steadfastly refused to withdraw any of the Duplicate Claims after having been contacted by Debtors' counsel.

8. The GUC Trust reiterates the alternative position taken in the Objection and asserts that the Duplicate Claims should be disallowed and expunged in order to avoid the possibility of multiple recoveries by Ms. Carter.



**Conclusion**

WHEREFORE, for the reasons set forth above, the GUC Trust respectfully requests that the Court disallow and expunge the Carter Claims and grant such other and further relief as is just.

Dated: New York, New York  
April 21, 2011

/s/ Joseph H. Smolinsky

Harvey R. Miller

Stephen Karotkin

Joseph H. Smolinsky

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153

Telephone: (212) 310-8000

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Company GUC Trust